

United States Courts  
Southern District of Texas  
FILED

FEB 25 2016

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA

§

v.

§

CRIMINAL NO. H-13-363

§

JAMES WAYNE HAM

§

§

**SUPERSEDING INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT ONE**

On or about May 17, 2013, in the Southern District of Texas and elsewhere, the defendant,

**JAMES WAYNE HAM,**

did commit murder, as defined in Title 18 United States Code, Section 1111(a), by killing United States Postal Employee Eddie Youngblood, an employee of the United States, with malice aforethought, unlawfully, willfully, deliberately, maliciously, and with premeditation by shooting her with a firearm and setting her on fire while Eddie Youngblood was engaged in and on account of the performance of her official duties.

In violation of Title 18, United States Code, Sections 1114 and 1111.

**COUNT TWO**

On or about May 17, 2013, in the Southern District of Texas and elsewhere, the defendant,

**JAMES WAYNE HAM,**

did knowingly and intentionally carry, brandish, and discharge a firearm, during and in relation to a crime of violence, to wit: the murder of Eddie Youngblood, an employee of the United

States, as alleged in Count One and incorporated by reference herein, and in the course of this violation caused the death of Eddie Youngblood through the use of a firearm, and said killing was murder as defined by 18 U.S.C. § 1111(a).

In violation of Title 18 United States Code, Section 924 (c)(1) and 924(j)(1).

**NOTICE OF SPECIAL FINDINGS**

The allegations of Counts 1 and 2 of this Indictment are hereby re-alleged as if fully set forth herein and incorporated by reference.

As to Counts 1 and 2 of this Indictment, the defendant JAMES WAYNE HAM:

(1) was 18 years of age or older at the time of the offense (Title 18, United States Code, Section 3591(a));

(2) intentionally killed the victim (Title 18, United States Code, Section 3591(a)(2)(A));

(3) intentionally inflicted serious bodily injury that resulted in the death of the victim (Title 18, United States Code, Section 3591(a)(2)(B));

(4) intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(C));

(5) intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(D));

(6) committed the offenses (in Counts 1 and 2) after substantial planning and premeditation to cause the death of a person (Title 18, United States Code, Section 3592(c)(9)).

A TRUE BILL

**Original Signature On File**

FOREPERSON OF THE GRAND JURY  
Date: February 25, 2016

KENNETH MAGIDSON  
United States Attorney

By   
SHARAD S. KHANDELWAL  
ANDREW LEUCHTMANN  
Assistant U.S. Attorneys

JAMES D. PETERSON  
Trial Attorney